

Message Text

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FM SECSTATE WASHDC
TO AMEMBASSY ROME

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E.O. 11652: N/A

TAGS: ETRN, IT

SUBJECT: CIVAIR - REQUEST FOR CONSULTATIONS

REFS: A) ROME 9704, B) STATE 151448, C) ROME 4461

1. GOI PROPOSAL FOR CONSULTATIONS UNDER 1970 MEMO OF UNDERSTANDING (MOU) RAISES SOME QUESTIONS WHICH MUST BE RESOLVED PRIOR TO ANY DISCUSSION OF DATE FOR MEETING:

A. WE DO NOT HAVE COPY OF MOU IN ITALIAN, AND WONDER WHETHER VERSION CITED REF C IS SIGNED BY BOTH US AND GOI CHAIRMEN, OR IS SIMPLY ITALIAN TRANSLATION OF ENGLISH LANGUAGE VERSION WHICH WAS SIGNED BY BOTH CHAIRMEN? EVEN IF SIGNED VERSION OF ITALIAN TEXT EXISTS, WE ARE LEFT WITH SITUATION IN WHICH ENGLISH TEXT, WHICH STATES THAT SCHEDULES INVOLVING A CAPACITY INCREASE WILL BE FILED, IS IN OUR EYES OF EQUAL STANDING WITH ANY ITALIAN VERSION WITH ITS MORE RESTRICTIVE REQUIREMENTS.

B. UNDER ENGLISH TEXT IT SHOULD BE NOTED THAT 2 PERCENT INCREASE IN NUMBER OF SEATS TO BE OFFERED IN WINTER 1973-74

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CAN HARDLY BE CONSTRUED AS "CAPACITY INCREASE" IN NORMAL

AVIATION PARLANCE. INCREASE DERIVES ENTIRELY FROM CHANGE IN SEATING ARRANGEMENTS ON 747'S (PLACING SEATS IN ERST-WHILE LOUNGE AREAS). UNDER NEW CONFIGURATION, SEATS ON PAA 747'S INCREASED TO 364 FROM 351, AND TWA 747'S TO 364 FROM 318 (364 IS THE NORM FOR TRANSATLANTIC AIRLINES). REMAINDER OF CHANGES IN WINTER 1973-74 SCHEDULES REFLECT REDUCTION FROM SERVICE PATTERNS OPERATED IN 1972-73 (SUBSTITUTION OF 707'S FOR 747'S), AND, HAD NOT SEATS REPLACED LOUNGES ON REMAINING 747'S, WOULD HAVE RESULTED IN FEWER NUMBER OF SEATS AVAILABLE THAN IN WINTER 1972-73. THIS POSES QUESTION WHETHER 2 PERCENT INCREASE IN NUMBER OF SEATS AVAILABLE, WITHOUT OVERALL INCREASE IN LEVEL OF SERVICES, COULD BE CONSIDERED AN "EXCESSIVE INCREASE" IN CAPACITY, AND WHETHER IT OBLIGES US TO ACCEDE TO GOI PROPOSAL FOR CAPACITY CONSULTATIONS EVEN UNDER OUR INTERPRETATION OF MOU.

2. WE ACCEPT, HOWEVER, THAT ALL-CARGO INCREASE FALLS CLEARLY WITHIN SCOPE OF MOU, AND WE WOULD BE PREPARED TO CONSULT WITH GOI ON THIS ISSUE, (WHILE ISOLATING PASSENGER SERVICES) AT EARLY DATE.

3. THERE IS NO QUESTION, OF COURSE, THAT WE WOULD HONOR OUR OBLIGATIONS SHOULD GOI CALL FOR CONSULTATIONS ON WINTER PASSENGER SERVICES UNDER ARTICLES 9 AND 11 OF BILATERAL AIR SERVICES AGREEMENT, BUT THIS WOULD BE ON EX POST FACTO BASIS. THIS WOULD, OF COURSE, FORESTALL CIVILAVIA EFFORTS TO SET IN MOTION PROCESS TO FREEZE WINTER SERVICES AT LEVEL PROJECTED FOR 1973-74, BY INVOKING PARAGRAPH 5 OF CONFIDENTIAL MOU WHICH RELATES ONLY TO FILED INCREASES IN CAPACITY WHICH GOI BELIEVES TO BE EXCESSIVE. WE NOTE WORD "INCREASE" APPEARS EIGHT TIMES IN ENGLISH TEXT OF PARAGRAPH 5 AND WOULD BE INTERESTED IN SEEING ITALIAN TEXT.

4. IF CONSULTATIONS TAKE PLACE, WE WOULD PREFER TO HOLD THEM IN WASHINGTON. US AIRLINES WOULD BE REPRESENTED BY AIR TRANSPORT ASSOCIATION WHOSE MEMBER WOULD SIT AS OBSERVER ON US DELEGATION.

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5. EMBASSY VIEWS REQUESTED ASAP. RUSH

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